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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MERCK & CO., INC., and
MERCK SHARP & DOHME CORP.,

Plaintiffs,

v.

MERCK KGAA,

Defendant.

Civil Action No. 2:16-cv-00266-ES-MAH

Electronically Filed

~~PROPOSED~~ Amended
SCHEDULING ORDER

This matter having been presented to the Court by a joint letter (the "Letter") from Plaintiffs Merck & Co., Inc. and Merck Sharp & Dohme Corp. and Defendant Merck KGaA, raising a dispute over an extension for discovery, and the Court having considered Defendants' and Plaintiff's respective submissions in the Letter, and in light of the complexities involved in this litigation, and for good cause shown,

IT IS, on this 23rd day of August, 2017,

ORDERED that Defendant's request is **GRANTED**, ^{in Part} and that new discovery dates are set as follows:

Discovery

1. The parties' production of documents shall be completed by ~~December 31, 2017~~ ^{October}.
2. The parties need not produce unresponsive family members in the production, but must produce such family members of specifically identified documents by the opposing party upon request in a reasonable time period.
3. All other fact discovery, including depositions of fact witnesses, shall be completed by **April 1, 2018**.
4. All fact discovery disputes (other than those arising during depositions) shall be filed with the Court in a joint letter pursuant to the Court's November 7, 2016 Pretrial Scheduling Order no later than ~~February 28, 2018~~ ^{December 15, 2017}.

Experts

5. Plaintiffs' affirmative expert reports shall be delivered by **May 1, 2018**.
6. Defendant's affirmative and rebuttal expert reports shall be delivered by **June 26, 2018**.
7. Plaintiffs' rebuttal and reply expert reports shall be delivered by **July 16, 2018**.
8. All expert discovery, including completion of expert depositions, shall be completed by **August 23, 2018**.


Honorable Michael A. Hammer, U.S.M.J.

* The parties are directed to meet and confer on expert-related deadlines in light of the modified fact-discovery deadlines set forth above. The parties shall submit an Amended Scheduling Order (proposed) for the Court's consideration on or before September 6, 2017, which shall incorporate the proposed expert deadlines. There will be a telephone status conference with the Undersigned on September 12, 2017 at 2:00 p.m., which Plaintiffs' counsel will kindly initiate. 